

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of:

Attorney Docket No.: 32210.20.0

HAIRSINE

Application No.: 10/741,793

Examiner: Weier, Anthony J.

Filed: December 19, 2003

Group Art Unit: 1761

For: METHODS AND DEVICES FOR AUTOMATICALLY MAKING LARGE
QUANTITIES OF PRE-COOKED EGGS HAVING A NATURAL APPEARANCE

RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This communication is filed in response to the Office Communication of September 6, 2006, for which the unextended date for response is October 6, 2006. Applicants, through their attorney, elect with traverse the invention of Group I, Claims 1-34 and 55-71, drawn to a method for producing cooked eggs.

Applicants respectfully traverse the restriction requirement and asks that all of the claims be examined as part of the prosecution of the present application. Applicants traverse the restriction/election requirement on the grounds that no serious burden on the Examiner exists. If the search and examination of an entire application can be made without serious burden, it must be examined on the merits even though it includes claims directed to distinct or independent inventions. M.P.E.P § 803. The subject matter of Groups I, II and III are believed to be sufficiently related that a thorough search for the subject matter of any one group would encompass a search for the subject matter of all groups. To avoid duplicative examination by the Patent Office and unnecessary delay and expense to Applicants, Applicants respectfully request examination on the merits of the claims of Group I, Group II and Group III.

Furthermore, Applicants submit that if a determination of an allowable generic claim is issued, for instance the determination of allowability of claims 1 and 55 in the present application, claims that are written in dependant form or otherwise include all the limitations of the allowed generic claim should be considered. M.P.E.P. § 809.02(c). Therefore, the Applicant respectfully requests that the Examiner consider rejoining the product claims of Group III upon a finding of allowability of the claims of Group I.

The Examiner is invited to telephone the undersigned if the Examiner believes it would be useful to advance prosecution.

Respectfully submitted,

/Mia E. Mendoza/

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Please grant any extension of time necessary for entry; charge any fee due to Deposit Account No. 06-1910.

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